

NAYS—Senators Allison, Bradshaw, Bradley, Burton, Dillard, Erath, Parker, Randle, Stirman, Swift and Wood—11.

On motion of Senator Culberson, the Senate adjourned until 11 o'clock A. M., to-morrow.

TWENTY-NINTH DAY.

SENATE CHAMBER,)
AUSTIN, February 13, 1875. }

Senate met pursuant to adjournment; roll called; quorum present. Prayer by the chaplain.

On motion of Senator Allison, the reading of the journal of yesterday was dispensed with.

Senator Ireland, in behalf of the Senators who signed the protest against the passage of Senate bill No. 463, "An act to limit the amount to be issued in bonds to the International Railroad Company, and to adjust all matters of difference between the State and said company," stated that the word "peculiar," used in the first line of the 9th and last section of said protest, meant no disrespect to the friends of said bill. That the best of personal relations exists between the protestants and those voting for the bill.

Senator Westfall, Chairman Committee on Education, submitted the following reports:

Hon. R. B. Hubbard, President of the Senate:

Your Committee on Education, to whom was referred Senate bill No. 655, "An act to appropriate unexpended school moneys to be used for educational purposes in the school districts to which they belong," having considered the same, a majority of said committee instruct me to report said bill back to your honorable body, and recommend its passage.

W. H. WESTFALL, Chairman.

Hon. R. B. Hubbard, President of the Senate:

Your Committee on Education, to whom was referred Senate bill No. 663, "An act to incorporate the Mount Vernon High School," having considered the same, instruct me to report said bill back to your honorable body, and

recommend its passage with the accompanying amendment, to-wit: That sections 4 and 5 be stricken out, and section 6 be made section 4 of the bill.

W. H. WESTFALL, Chairman.

Senator Joseph, for Committee on Engrossed Bills, submitted the following report:

Hon. R. B. Hubbard, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared—

Senate bill No. 593, "An act to incorporate the Kaufman Tap Railroad Company."

Senate bill No. 628, "An act to authorize the county court of DeWitt county to have a bridge built across the Sandies' creek, in said county."

Senate bill No. 643, "An act to amend section thirteen of an act entitled 'an act to encourage the construction of railroads in Texas, by donations of land,' approved January 30, 1854."

Senate bill No. 645, "An act for the relief of Thomas Parker, of Shelby county."

Senate bill No. 651, "An act to amend 'an act to incorporate the Dallas and Wichita Railroad Company, and to aid in the construction of said road, and approved May 24th, 1873,' " and find all of the same correctly engrossed.

JOSEPH, for Committee.

Senator Friend, for Committee on Engrossed Bills, submitted the following report:

Hon. R. B. Hubbard, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared—

Senate bill No. 604, "An act to authorize G. Schleicher and G. Hoffman, to erect and keep a boom across the Colorado river, at or near the city of Austin, in the county of Travis."

Senate bill No. 642, "An act supplemental to 'an act to regulate the fees to be charged by the Commissioner of the General Land Office,' " approved June the 2d, A. D. 1873.

Senate bill No. 478, "An act to regulate the removal and establishment of county seats."

Senate joint resolution No. 631, "Requesting our Senators and Representatives in Congress to aid in securing the

passage of a law for the relief of the heirs of L. R. Wortham, deceased," and find all of same correctly engrossed. W. R. FRIEND, for Committee.

Senator Wood, for Committee on Public Lands, submitted the following reports:

Hon. R. B. Hubbard, President of the Senate:

Your Committee on Public Lands, to whom was referred Senate bill No. 640, "An act to encourage the settlement of our Indian territory," have carefully considered the same, and report the same to your honorable body with the accompanying substitute, and recommend the passage of the substitute. WOOD, for Committee.

The title of the substitute referred to is, "An act supplementary to an act entitled 'an act for the benefit of actual occupants of the public domain,' " approved May 26, 1873.

Hon. R. B. Hubbard, President of the Senate:

Your Committee on Public Lands, to whom was referred House bill No. 601, "An act to provide for a re-compilation of an abstract of titled and patented lands in Texas," have carefully considered the same, and instruct me to report the bill back, and recommend that it do pass, with the accompanying amendments:

1st. Amend the caption of the act by inserting in the second line before the word "titled" the word "located."

2d. Amend the first section by striking out the sixth line of said section and insert in lieu thereof the following: "titled, patented and located in the State of Texas, which may have been titled or patented, or which have been located and surveyed, and the certificates and field notes returned to the General Land Office."

3d. In the thirteenth line of first section, after the word "patent," insert as follows: "number of certificates, name of grantee of certificate, or name of pre-emption locator."

4th. Amend by adding to the end of section fifth, as follows: "to include all locations filed during the year, not patented." WOOD, for Committee.

Senator Swift, Chairman Committee on Claims and Accounts, submitted the following report:

Hon. R. B. Hubbard, President of the Senate:

Your Committee on Claims and Accounts, to whom was referred the "Memorial of John Murphy," have consid-

ered the same, and instruct me to report it back to your honorable body, and recommend that the prayer be not granted.

W. H. SWIFT, Chairman.

Senator Westfall for Committee on Enrolled Bills, submitted the following report :

Hon. R. B. Hubbard, President of the Senate :

Your Committee on Enrolled Bills have carefully examined, compared and find correctly enrolled Senate bill No. 483, "An act to amend sections three and seven of 'an act to incorporate the Rusk Transportation Company,'" approved May 2, 1874, and presented the same to the Governor this day at 10 o'clock A. M., for his approval.

WM. H. WESTFALL, for Committee.

Senator Allison, Chairman Committee on Stock and Stock Raising, submitted the following report :

Hon. R. B. Hubbard, President of the Senate :

Your Committee on Stock and Stock Raising, to whom was referred House bill No. 651, "An act to punish parties for cutting brands out of beef hides," have considered the same, and instruct me to report said bill back to your honorable body, and recommend its passage.

R. D. ALLISON, Chairman.

Senator Randle introduced a bill, entitled, "An act amendatory of section 356 of an act entitled 'an act to establish a Code of Criminal Procedure for the State of Texas,' approved August 26, 1856." Read first time and referred to Judiciary Committee.

Senator Randle introduced a bill, entitled, "An act amendatory of section 290a of an act, entitled, 'an act to adopt and establish a Penal Code for the State of Texas,' approved August 28, 1856." Read first time and referred to Judiciary Committee.

Senator Randle introduced a bill, entitled, "An act amendatory of section 382 of an act, entitled, 'an act to establish a Code of Criminal Procedure for the State of Texas,' approved August 26, 1856." Read first time and referred to Judiciary Committee.

Senator Parker introduced a bill, entitled "An act to prohibit the manufacture, sale or disposing of spirituous or intoxicating liquors within three miles of Mount Vernon

High School, in Titus county." Read first time and referred to Committee on State Affairs.

Senator Baker introduced a bill entitled "An act to incorporate the Houston Texas Land Company." Read first time and referred to Committee on State Affairs.

Senator Russell offered the following resolution :

Resolved, That the Judiciary Committee enquire into the necessity of making an appropriation to defray the expenses of extradition of criminals under the treaty between the United States and the Republic of Mexico. Adopted.

Senator Moore introduced a bill entitled "An act to regulate and define the manner in which sales of land shall be advertised, under execution or order of sale." Read first time and referred to Judiciary Committee.

Senator Westfall presented the memorial of John H. Shotunberg, asking for relief. Read and referred to Committee on Claims and Accounts.

Senator Westfall introduced a bill entitled "An act for the relief of John H. Shotunberg." Read first time and referred to Committee on Claims and Accounts.

Senator Westfall introduced a bill entitled "An act for the relief of the scholastic census takers for 1871, '72 and '73." Read first time and referred to Committee on Education.

Senator Westfall introduced a bill entitled "An act for relief of O. M. Jackson." Read first time and referred to Committee on Claims and Accounts.

Senator Westfall introduced a bill entitled "An act to authorize Ferdinand Dohme to establish a ferry across the Colorado river, near the city of Austin, in Travis county." Read first time and referred to Committee on Roads, Bridges and Ferries.

Senator Hobby introduced a joint resolution "Amending sections 45 and 46 of article 12 of the constitution." Read first time and referred to Committee on Constitutional Amendments.

Senator Joseph introduced a bill entitled "An act making an appropriation for gas, pipes and fixtures in the Capitol and executive mansion." Read first time.

On motion of Senator Joseph, the rules were suspended, bill read second time and ordered engrossed.

On motion of Senator Joseph, the rules were further suspended, bill read third time and passed by the following vote :

YEAS—Senators Ball, Baker, Bradshaw, Camp, Craven,

Ellis, Flanagan, Friend, Joseph, Ledbetter, Russell, Shepard and Westfall—13.

NAYS—Senators Allison, Culberson, Dillard, Erath, Hobby Morris, Parker, Stirman, Swift and Wood—10. .

A message was received from the Governor.

Senator Ellis introduced a bill entitled "An act to amend 'an act to authorize the several counties of the State to raise means to pay their present indebtedness,' approved May 1st, 1874." Read first time and referred to Judiciary Committee.

Senator Ireland introduced a bill entitled "An act prescribing the mode of service on absent defendants." Read first time and referred to Judiciary Committee.

On motion of Senator Shepard, the rules were suspended, and Senate bill No. 617, "An act to grant lands to certain counties for educational purposes," was taken up and read second time, pending an amendment recommended by the Judiciary Committee.

The amendment proposed by the committee was adopted, and the bill as amended was ordered engrossed.

Rules further suspended, bill read third time and passed by the following vote :

YEAS—Senators Allison, Ball, Baker, Bradshaw, Bradley, Burton, Camp, Culberson, Craven, Dwyer, Ellis, Erath, Flanagan, Friend, Hobby, Ireland, Ledbetter, Parker, Shepard, Swift, Westfall and Wood—21.

NAYS—None.

Senator Westfall gave notice that he would move a reconsideration of the vote by which the Senate passed the bill introduced by Senator Joseph, this morning, entitled "An act making an appropriation for gas, pipes and fixtures in the Capitol and executive mansion."

A message from the House was received announcing the passage of House joint resolution No. 60, "Joint resolution instructing our Congressional delegation to urge upon Congress the speedy passage of a law for the indemnity or reimbursement for the losses incurred by the theft of horses, mules and cattle by the Comanches, Kiowas, Cheyennes and other Indians in and near the Fort Sill reservation and on the Rio Grande frontier."

On motion of Senator Bradshaw, the rules were suspended, and the resolution regarding adjournment, was taken up.

Senator Dwyer moved a call of the Senate. Call sustained.

Absent—Senators Flanagan, Joseph, Randle and Russell. The sergeant-at-arms was dispatched for absent Senators.

(Senator Erath in the chair.)

On motion of Senator Wood, the rules were suspended, and Senate bill No. 558, "An act to provide for funding warrants, issued for services rendered prior to January 28, 1861, and also certificates of public debt, issued by the Auditorial Board, in lieu of any such Treasury warrants," was taken up and read second time, pending amendments recommended by the Finance Committee.

The amendments of the committee were adopted.

The bill, as amended, was then ordered engrossed.

Senator Ball, by leave, introduced a bill entitled "An act to amend sections three and four of an 'act to authorize and require the Governor to lease the State penitentiary, together with the labor of the convicts therein.'" Read first time and referred to Committee on Penitentiary.

On motion of Senator Westfall, Senator Camp was excused for one week from Monday next.

On motion of Senator Swift, the Senate adjourned until Monday at 10 o'clock A. M.

THIRTIETH DAY.

SENATE CHAMBER,
AUSTIN, February 15, 1875. }

Senate met pursuant to adjournment. Roll called; quorum present. Prayer by the chaplain.

Journal of Saturday read and adopted.

(Senator Ireland in the chair.)

Senator Wood introduced a bill entitled "An act to regulate evidence in suits concerning land." Read first time and referred to Judiciary Committee.

Senator Morris introduced a bill entitled "An act to provide for the election of Assessors and Collectors." Read first time and referred to Judiciary Committee.

Senator Ellis introduced a bill entitled "An act prescribing the compensation of the Financial Agent of the State,